

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL
DISTRICT.

OAH Case No. 2014060932

ORDER DENYING MOTION TO
AMEND COMPLAINT

On June 16, 2014, Student filed a Due Process Hearing Request (complaint) with the Office of Administrative Hearings, naming Los Angeles Unified School District. On October 13, 2014, Student filed a Motion to Amend the Due Process Hearing Request (amended complaint). No opposition was received from District.

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. §1415(c)(2)(E)(i).)¹ The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

While the motion to amend is timely, Student failed to attach a copy of the proposed amended complaint. Accordingly, Student's motion to amend is denied as there is no amended complaint to be filed by OAH.

IT IS SO ORDERED.

DATE: October 16, 2014

/s/

PETER PAUL CASTILLO
Presiding Administrative Law Judge
Office of Administrative Hearings

¹ All statutory citations are to title 20 United States Code unless otherwise indicated.